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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DELPHINE ALLEN, et al.,

Plaintiffs,

v.

CITY OF OAKLAND, et al.,

Defendants.

Master Case No.: C00-4599 TEH (JL)

STIPULATION AND ORDER RE:  
PERFORMANCE APPRAISAL POLICY  
PURSUANT TO SECTION X, A, 6  
(Task 44) OF THE SETTLEMENT  
AGREEMENT

[Honorable Thelton E. Henderson]

STIPULATION AND ORDER RE:  
CHANGES TO LANGUAGE IN SECTION X, A, 6  
OF THE SETTLEMENT AGREEMENT

C00-4599 TEH (JL)

STIPULATION

IT IS HEREBY STIPULATED by and between the parties that Section X, A, 6, (Task 44) of the Negotiated Settlement Agreement is hereby amended to delete the requirement for a supervisor, manager, or person in charge, to prepare and submit a separate written appraisal narrative detailing the performance of a member or employee engaged in substantial collateral duties during an appraisal period. Such performance information shall be exchanged during a consultation and documented by the appraising supervisor or manager.

Section X, A, 6 (Task 44), "Performance Appraisal Policy," shall read as follows:

6. When a member/employee, during the course of the period being appraised, had substantial collateral duties supervised by someone other than his or her regular and direct supervisor, the member/employee's immediate supervisor shall consult with the other supervisor, manager, or person in charge of the collateral duty regarding the subject member/employee's performance and document the results of the consultation in the performance appraisal.

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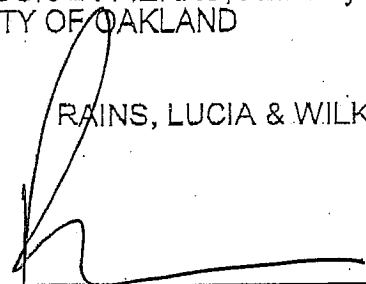
~~October 1~~  
Dated: September 20, 2007

OAKLAND CITY ATTORNEY'S OFFICE

By:   
ROCIO V. FIERRO, Attorneys for Defendant  
CITY OF OAKLAND

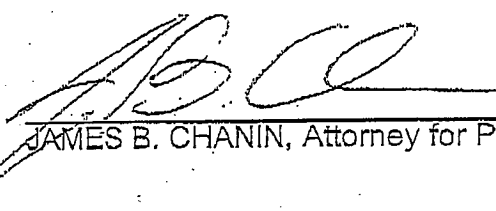
~~September 23, 2007~~  
Dated: September 20, 2007

RAINS, LUCIA & WILKINSON, LLP

By:   
ROCKNE LUCIA, Attorney for Interveners  
OAKLAND POLICE OFFICERS ASSOCIATION

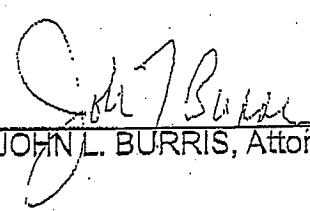
Dated: September 20, 2007

LAW OFFICES OF JAMES B. CHANIN

By:   
JAMES B. CHANIN, Attorney for Plaintiffs

Dated: September 20, 2007

LAW OFFICES OF JOHN BURRIS

By:   
JOHN L. BURRIS, Attorney for Plaintiffs

ORDER

IT IS HEREBY ORDERED that Section X. A. 6, of the Settlement Agreement  
approved by this Court on or about ~~September 20, 2007~~ <sup>January 22, 2003</sup>, is hereby revised and modified,  
consistent with the terms of the Parties' Stipulation.

IT IS SO ORDERED.

Dated: 02/14/08

